

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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07	UNITED STATES OF AMERICA,)	
08)	Case No. CR92-0286-(CRD)-RSL-JPD
09	Plaintiff,)	
10)	SUMMARY REPORT OF U.S.
11	v.)	MAGISTRATE JUDGE AS TO
12)	ALLEGED VIOLATIONS
13	TRACY DEMON LEE,)	OF SUPERVISED RELEASE
14)	
15	Defendant.)	
16)	

12 An initial hearing on a petition for violation of supervised released was held before
13 Magistrate Judge Mary Alice Theiler on April 21, 2006. The defendant was advised of the
14 alleged violations, admitted violations 2, 4, 6, and 7, and waited any evidentiary hearing as to
15 whether they occurred. Defendant requested an evidentiary hearing on alleged violations 1, 3,
16 5, and 9, and was ordered detained.

17 An evidentiary hearing for violations of supervised released on alleged violations 1, 3,
18 5, and 9, was scheduled before the undersigned Magistrate Judge on May 5, 2006. The United
19 States was represented by Assistant United States Attorney Andrew Colasurdo, and the defendant
20 by Ms. Carol Koller. The proceedings were recorded on cassette tape.

21 The defendant had been charged and convicted on two counts of Armed Bank Robbery
22 (counts I and II), and Possession of a Firearm During a Crime of Violence (count III). On or
23 about August 14, 1992, defendant was sentenced by the Honorable Carolyn R. Dimmick to
24 imprisonment of 97 months (counts I and II), and imprisonment of 60 months on count III to be
25 served consecutively.

26 The conditions of supervised release included the requirements that the defendant comply

01 with all local, state, and federal laws, and with the standard conditions. Special conditions
02 imposed included, but were not limited to, substance-abuse treatment participation, consent to
03 search, abstaining from the use of drugs or alcohol, and restitution.

04 In a Petition for Warrant or Summons for Offender Under Supervision dated
05 November 16, 2005, prepared by U.S. Probation Officer Felix Calvillo, Jr., and a Complaint for
06 Violation of 18 U.S.C. §§ 922(g)(1), and 924(e) and Warrant for Arrest dated April 18, 2006,
07 prepared by Special ATF Agent, Heidi Wallace, the following violations by defendant of the
08 conditions of his supervised release were asserted:

09 (1) Committing the crime of Possession of a Controlled Substance in Snohomish
10 County, Washington, on or about July 25, 2005, in violation of the general condition and
11 standard condition No. 7 that he not commit another federal, state, or local crime.

12 (2) Failing to notify the probation officer within 72 hours of his July 26, 2005, arrest
13 by a law enforcement officer, in violation of standard condition No. 11.

14 (3) Committing the crime of Unlawful Furnishing of Liquor to a Minor in Seattle,
15 Washington, on or about October 7, 2005, in violation of the general condition that he not
16 commit a federal, state, or local crime.

17 (4) Failing to notify the probation office within 72 hours of his October 7, 2005,
18 arrest by a Seattle Police Officer, in violation of standard condition No. 11.

19 (5) Failing to submit to testing to determine if he has reverted to the use of drugs, as
20 directed on August 12, September 15, October 4, and November 7, 2005, as directed in violation
21 of special condition No. 2 and standard condition No. 2.

22 (6) Failing to make monthly payments towards restitution in the amount of \$50.00,
23 in violation of the general condition of supervision and special condition No. 3.

24 (7) Using marijuana on or before July 8 and 21, and September 2, 2004, in violation
25 of standard condition No. 7.

26 (8) Failing to submit a written report to the U.S. Probation Office within the first five

01 days of August, September, and October 2005, in violation of standard condition #2.

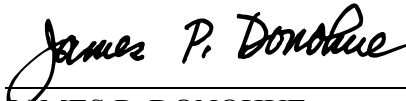
02 The defendant admitted to alleged violations numbers 2, 4, 5, 6, 7, and 8, and waived his
03 rights to any evidentiary hearing as to whether they occurred.

04 At the revocation hearing, the government dismissed alleged violations numbers 1 and
05 3.

06 I therefore recommend that the Court find the defendant violated his conditions of
07 supervised release as to violations numbers 2, 4, 5, 6, 7, and 8, and that the Court conduct a
08 hearing limited to disposition of these violations.

09 A disposition hearing on violation numbers 2, 4, 5, 6, 7, and 8, has been set before the
10 Honorable Robert S. Lasnik, for Tuesday, May 23, 2006, at 8:30 a.m. Pending a final
11 determination by the Court, the defendant has been detained.

12 DATED this 5th day of May, 2006.

13 
14 JAMES P. DONOHUE
15 United States Magistrate Judge

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17 cc: District Judge: Honorable Robert S. Lasnik
18 AUSA: Mr. Andrew Colasurdo
19 Defendant's attorney: Ms. Carol Koller
20 Probation officer: Mr. Felix Calvillo
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